

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

REEDIGROUP, LTD.,
YAN FANG JIANG,

Plaintiffs,

vs.

Case No. 14-CV-309

HANNON GROUP, LTD.,
TODD J. HANNON,

Defendants.

**CIVIL L.R. 7(h) EXPEDITED NON-DISPOSITIVE MOTION OF REEDIGROUP, LTD.
AND YAN FANG JIANG TO STRIKE DOCUMENT # 34 AND DOCUMENT # 34-1**

MOTION

The plaintiffs, Reedigroup, Ltd. and Yan Fang Jiang, hereby move the Court to strike the Response in Opposition to Motion to Strike (Document # 34) and the Declaration of Stephen Boulton (Document # 34-1) filed by the defendant, Hannon Group, Ltd. The Court need only consider this motion if it denies the Motion to File Instant Response to Motion to Strike (Document # 33) filed by Hannon Group, Ltd. This motion is brought under Civil L.R. 7(i).

ARGUMENT

On August 11, 2014, the plaintiffs filed the Civil L.R. 7(h) Expedited Non-Dispositive Motion of Reedigroup, Ltd. and Yan Fang Jiang to Strike the Memorandum of Law in Opposition to Motion for Default Judgment and Related Documents (Document # 28). Hannon Group, Ltd. was required to file a response to that motion on or before August 21, 2014. *See* Civil L.R. 7(h)(2) (a response must be filed "within 7 days of service of the motion"); Fed. R. Civ. P. 6(d) (authorizing a three-day extension for service by electronic means). It did not do so.

On September 2, 2014, Hannon Group, Ltd. filed a Motion to File Instant Response to Motion to Strike (Document # 33). Contemporaneously, though not "attached" to Document # 33, Hannon Group, Ltd. filed a Response in Opposition to Motion to Strike (Document # 34) and a Declaration of Stephen Boulton (Document # 34-1).

The Court should only consider the Response in Opposition to Motion to Strike (Document # 34) and the Declaration of Stephen Boulton (Document # 34-1) if it grants the Motion to File Instant Response to Motion to Strike (Document # 33). If the Court denies that motion (Document # 33), then it should not consider the response (Document # 34) or the declaration (Document # 34-1). Even though Hannon Group, Ltd. made separate filings, as opposed to "attaching" Document # 34 and Document # 34-1 to Document # 33, a clerk may only file an untimely paper if the Court gives the clerk permission to do so. *See* Civil L.R. 7(i). The Court should not allow Hannon Group, Ltd. to circumvent that rule.

Dated this 16th day of September, 2014.

s/Neal S. Krokosky
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